

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 37225

STATE OF IDAHO,	)	2010 Unpublished Opinion No. 657
	)	
Plaintiff-Respondent,	)	Filed: October 5, 2010
	)	
v.	)	Stephen W. Kenyon, Clerk
	)	
PATRICK DAVID ELLINGER,	)	THIS IS AN UNPUBLISHED
	)	OPINION AND SHALL NOT
Defendant-Appellant.	)	BE CITED AS AUTHORITY
	)	

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Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Darla S. Williamson, District Judge.

Judgment of conviction and unified sentence of twenty years, with a minimum period of confinement of five years, for rape, affirmed.

Molly J. Huskey, State Appellate Public Defender; Sarah E. Tompkins, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

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Before LANSING, Chief Judge; GUTIERREZ, Judge;  
and MELANSON, Judge

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PER CURIAM

Patrick David Ellinger pled guilty to rape. I.C. § 18-6101. In exchange for his guilty plea, an additional charge was dismissed. The district court sentenced Ellinger to a unified term of twenty years, with a minimum period of confinement of five years. Ellinger appeals.

Sentencing is a matter for the trial court's discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of the sentence are well established and need not be repeated here. *See State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App. 1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho

722, 726, 170 P.3d 387, 391 (2007). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Ellinger's judgment of conviction and sentence are affirmed.